

GOVERNMENT OF TELANGANA

ABSTRACT

Public Servants – Case under the Prevention of Corruption Act, 1988 for the allegation of demand and acceptance of bribe against Sri Abdul Shafiuddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district, the then Senior Assistant in the Office of the Deputy Commissioner of Labour, Ranga Reddy District – Registered Case Others (RCO) case registered on 28.02.2020 – Sanction of prosecution under the Prevention of Corruption Act, 1988 – Accorded – Orders – Issued.

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LABOUR EMPLOYMENT TRAINING & FACTORIES (Emp-Vig) DEPARTMENT

G.O.Ms.No. 8

Dated: 25-05-2022

ORDER :-

Whereas, Sri Abdul Shafiuddin, S/o Sri Fakruddin worked as Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district from 18.02.2020 to 28.02.2020 (the then Senior Assistant, Office of the Deputy Commissioner of Labour, Ranga Reddy District) and also earlier worked as Senior Assistant in the office of Deputy Commissioner of Labour, Ranga Reddy district from 18.06.2018 to 17.02.2020. By virtue of his post held by him and he falls under the category of Public Servant as defined under section 2(c) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988).

2. And Whereas, Sri K. Balaram Prasad is the proprietor of M/s Varam Global Services providing manpower consultancy to various private companies in Hyderabad. He applied for renewal of labour license of his firm situated at Bachupally, Medchal-Malkajgiri district, Hyderabad on 04.02.2020 which was applied through e-Seva situated at Chikkadpally, Hyderabad by submitting all necessary documents.

3. And whereas, for "Renewal of Labour License of his firm" Sri K. Balaram Prasad has approached office of Deputy Commissioner of Labour, Ranga Reddy district on 04.02.2020 and met Sri Abdul Shafiuddin, Senior Assistant, wherein he verified the documents and he told Sri K. Balaram Prasad to come to his office after two days.

4. And Whereas, Sri K. Balaram Prasad met Sri Abdul Shafiuddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district, the then Senior Assistant, Office of the Deputy Commissioner of Labour, Ranga Reddy District again on 10.02.2020 at about 4 PM. Then Sri Abdul Shafiuddin initially demanded Sri.K.Balaram Prasad to pay him an amount of Rs.10,000/- as bribe to process the file and to renew labour license of Sri K.Balaram Prasad. On that, Sri K.Balaram Prasad told him that, he cannot afford to pay such huge bribe, and then Sri Abdul Shafiuddin demanded to pay whatever money was with him at that time and accepted the bribe of Rs.4,000/- from Sri K. Balaram Prasad and assured that, he will complete the work within two to four days. As there was no other option, under compulsion Sri K. Balaram Prasad paid an amount of Rs.4,000/- as bribe to Sri Abdul Shafiuddin and when Sri K. Balaram Prasad went to the Deputy Commissioner of Labour office on 14.02.2020, Sri Abdul Shafiuddin again demanded an additional bribe of Rs.4,000/- to complete the said work.

5. And whereas, Sri K. Balaram Prasad was not willing to give the demanded bribe amount to Sri Abdul Shafiuddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district (the then Senior Assistant, Office of the Deputy Commissioner of Labour, Ranga Reddy district) he approached office of the Deputy Superintendent of Police, Anti Corruption Bureau, City Range-1 and submitted a petition typed in English to take necessary legal action against Sri Abdul Shafiuddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district.

Contd.....P.2

6. And whereas, on receipt of the above complaint on 14.02.2020 at 3:15 PM the Deputy Superintendent of Police, Anti-Corruption Bureau, City-Range-1 made discreet enquiries about the genuineness of Sri K. Balaram Prasad and the antecedents and reputation of Sri Abdul Shafiuddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district through Inspector, Anti Corruption Bureau.

7. And whereas, on 14.02.2020 at about 4 PM Sri K. Balaram Prasad met Sri Abdul Shafiuddin, in his office and requested him to reduce the demanded bribe amount. On that, Sri Shafiuddin, Senior Assistant, stated that, his superior officer is demanding an additional bribe amount of Rs.4,000/- for renewal of labour license. Sri K. Balaram Prasad requested him to permit to meet his superior officer, but he denied. When Sri K. Balaram Prasad expressed his inability to afford additional bribe of Rs.4,000/-, Sri Shafiuddin, stated that, he will inform the same to his superior officer and unless he pays additional bribe of Rs.4,000/- for labour license, that couldn't be renewed. On repeated requests of Sri K. Balaram Prasad, Sri Shafiuddin reduced bribe amount from Rs.4,000/- to Rs.3,000/-. He requested him to give some time and left the office.

8. And whereas, on 18.02.2020 Sri K. Balaram Prasad approached the superior officers of Sri Abdul Shafiuddin, i.e., Deputy Commissioner of Labour, Ranga Reddy district to verify the facts about demand of bribe by him. Sri K. Balaram Prasad also recorded the entire conversation occurred on 18.02.2020 between him, Sri Abdul Shafiuddin and Deputy Commissioner of Labour, Ranga Reddy district in memory card through spy gadgets provided. In the further report, the complainant mentioned that, on repeated requests, Sri Abdul Shafiuddin reduced the bribe amount from Rs.4,000/- to Rs.3,000/-.

9. And whereas, on 18.02.2020 at about 18.50 hours Sri K. Balaram Prasad approached office of the Deputy Superintendent of Police, Anti Corruption Bureau, City Range-1 on demanding bribe of Rs.10,000/- and accepted Rs.4,000/- towards initial payment of bribe on 10.02.2020 from him by Sri Abdul Shafiuddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district and submitted a further petition typed in Telugu to take necessary legal action against Sri Abdul Shafiuddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district (the then Senior Assistant, Office of the Deputy Commissioner of Labour, Ranga Reddy district).

10. And whereas, basing on the contents of the complaints dated:14.02.2020 & 18.02.2020 and the supporting digital evidence i.e. Video-cum-Audio recordings dated:14.02.2020 and 18.02.2020 recorded by Sri K. Balaram Prasad and Inspector, Anti Corruption Bureau report, the Deputy Superintendent of Police, Anti Corruption Bureau has submitted a detailed report to the Director General, Anti Corruption Bureau, Telangana, Hyderabad on 26.02.2020 and requested to accord permission to register an "Registered Case Others" case against Sri Abdul Shafiuddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district (the then Senior Assistant, Office of the Deputy Commissioner of Labour, Ranga Reddy district).

11. And whereas, on receipt of the proceedings from the Director General, Anti Corruption Bureau, Telangana, Hyderabad vide Rc.No.03/RCO-CR1-DD(HCZ)/2020 dated:27.02.2020 with instructions to register and investigate a Registered Case Others case against Sri Abdul Shafiuddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district (the then Senior Assistant, Office of the Deputy Commissioner of Labour, Ranga Reddy district), after following due procedure, the Deputy Superintendent of Police, Anti Corruption Bureau, City Range-1, Hyderabad registered a case vide Cr.No.09/RCO-ACB-CR-1/2020 for committing offence U/s 7(a) of the Prevention of Corruption Act, 1988 on 28.02.2020 at 9 AM and entrusted further investigation to Sri P. Raghu Nandan, Inspector of Police, Anti Corruption Bureau, City Range-1, Hyderabad and took up investigation.

12. And whereas, Sri Abdul Shafiuddin S/o Fakruddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district demanded bribe amount of Rs.10,000/- and accepted Rs.4,000/- towards initial payment of bribe on 10.02.2020 from Sri K. Balaram Prasad towards bribe as illegal gratification other than legal remuneration from Sri K.Balaram Prasad. In pursuance of the above act, an Registered Case Others case was registered on 28.02.2020 and the searches were conducted on 28.02.2020 at Office of the Deputy Commissioner of Labour, Ranga Reddy district, Hyderabad by the Inspector of Police, Anti Corruption Bureau, City Range-1, Hyderabad. The official favor file was seized by the Inspector, Anti Corruption Bureau during the search proceedings in the presence of the mediators.

13. And whereas, Sri Abdul Shafiuddin being a Senior Assistant, Office of the Deputy Commissioner of Labour, Ranga Reddy district has no specific duty assigned regarding the renewal of labour license. As per the Job chart besides performing other duties and as per the evidence of Deputy Commissioner of Labour, Ranga Reddy district Sri Abdul Shafiuddin is not having any role in issuing the renewal of Labour License. As per the petition of Sri K. Balaram Prasad, Sri Abdul Shafiuddin is not entitled officer to give renewal of Labour License certificate and Sri Abdul Shafiuddin has to inform the same to Sri K.Balram Prasad and to reject. But, in this case, petition entertained and followed entire scenario for renewal of labour license to the complainant which is improper.

14. And whereas, the above said acts of Sri Abdul Shafiuddin, S/o Fakruddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district constitutes an offence punishable under section 7(a) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988).

15. Government of Telangana being the competent Authority to remove Sri Abdul Shafiuddin, Assistant Labour Officer; Moula-ali, Medchal-Malkajgiri district from service, after carefully examining the material i.e., copy of First Information Report, copy of Search Proceedings, copies of statements of witnesses, Final report and all the relevant documents placed before the Government in respect of the said allegations and having regard to the circumstances of the case, considered that, Sri Abdul Shafiuddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district should be prosecuted in a competent court of law, for the aforesaid offences.

16. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act No.49 of 1988), Government hereby accord sanction for the prosecution against Sri Abdul Shafiuddin, Assistant Labour Officer, Moula-ali, Medchal-Malkajgiri district (the then Senior Assistant in the Office of the Deputy Commissioner of Labour, Ranga Reddy district from 18.6.2018 to 17.2.2020) for the offence punishable under section 7(a) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the above said acts and for taking cognizance of the said offences by the court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

(I. RANI KUMUDINI)  
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To  
The Director General, Anti Corruption Bureau, Telangana, Hyderabad.  
Sf/Sc.